HIGH COURT OF ANDHRA PRADESH:: HYDERABAD

MAIN CASE No: **W.P.No.24753 of 2007**

PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
02)	15-06-2010	**CVNR, J** **WVMP.No.1525 of 2008 in/& WPMP.No.31987 of 2007** WVMP.No.1525 of 2008 is filed to vacate interim order, dated 20-11-2007, in WPMP.No.31987 of 2007, whereby this Court directed the respondents in the Writ Petition to restore power supply to the writ petitioner subject to its paying 50% of the provisional assessment amount. At the hearing, it is submitted by the learned Counsel for the writ petitioner and not disputed by the learned Standing Counsel for the respondents that the above-mentioned condition has been complied with by the petitioner. In view of the same, I find balance of convenience in favour of the petitioner to continue the interim order pending the Writ Petition. WVMP and WPMP are accordingly disposed of. **C.V.Nagarjuna Reddy, J** **lur**	

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BN, J & GC, J
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The learned single Judge found that respondents 2 to 4 in the Writ Petition were not eligible to be promoted and they had been promoted although they were ineligible.

Respondents 2 to 4 have, now, filed an appeal with a delay of 164 days. Let

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an appeal with a delay of 101 days. Let the respondents file their counter to the application for condonation of delay in filing the said appeal.

There has been no stay of the judgment of the

learned single Judge. But the judgment of the learned single Judge is not being implemented from 29-12--2004. On last occasion also, we have told the learned Counsel for the appellant that the judgment needs to be implemented, and today, she has produced a copy of the letter received by Sri K.Srinivasa Murthy, Advocate. This letter is nothing but an

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attempt to defeat the judgment of this Court in avoiding to consider the case of the writ petitioner for promotion. The relevant portion of this letter reads as under:

> 'Once the vacancies are cleared, we are interested to consider the case of Mr.D.Harinatha Reddy, as it was submitted to the Court. Hence, we request you to put forth

(P.T.O.,)

BN, J & GC, J
(Contd…)

> the above information before the Court and request learned Judge to give time up to March, 2006. We request you to use your good office to appraise the Court and to protect Bank's interest'.

This letter merely says that once the vacancies were cleared, the Bank was interested to consider the case. It nowhere shows any urgency to implement the order of the Court. Vacancies can be cleared after decade or two decades. Therefore, we feel that the appellant in this appeal is, prima facie, in Contempt of this Court.

Issue notice to the appellant-Sri P.Gopala Krishna, Chairman, Sri Venkateswara Grameena Bank, Chittoor, as to why Contempt Proceedings be not initiated against him. He shall file counter within two weeks and shall remain present on the next date of hearing.

List on 21-03-2006.

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BN, J & SAR, J

Application No.122 of 2006

BN, J & SAR, J

Application No.122 of 2006

This application has been filed by respondent No.3-applicant seeking extension of time and also seeking prayer that the respondents should give a set off for Rs.93,31,706/- (Rupees ninety three lakhs thirty one thousand seven hundred and six only) which according to him are the losses suffered by him.

That is a matter, which will have to be gone into before taking a decision on the question whether the petitioner suffered any losses and if so, whether he is entitled to recover those losses in these proceedings. Therefore, at this stage, we cannot allow the prayer of the applicant that he should be permitted to deposit only Rs2,06,68,294/- (Rupees two crores six lakhs sixty eight thousand two hundred and ninety four only) and not Rs.3.17 crores.

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At this stage, the learned senior Counsel appearing for the applicant submits that the applicant has no objection if the property is put to fresh auction, but it should not be taken as adjudication of his claim to the compensation and losses.

BN, J & SAR, J
(Contd…)

This issue will be decided after a counter is filed to the present application.

As far as the extension of time is concerned, the request of the applicant is rejected and the official liquidator is at liberty to put the property to fresh auction as the applicant has also conceded that fresh auction may be allowed. The applicant also will be entitled to participate in the fresh auction. The Earned Money Deposit (EMD) already paid by the applicant to the extent of Rs.17 lakhs, when the property was put to auction earlier, may be returned to the applicant.

03-02-2006

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